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| BANNER & WITCOFF LTD 1001 G STREET NW WASHINGTON, DC 200014597 | | | KALINOWSKI, ALEXANDER G | |
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| | | | 3626 | |

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Requirement for Information Under 37 C.F.R. §1.105

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

2. The information is required to identify products and/or services embodying the disclosed subject matter of a method and system for exchanging data messages relating to a bid or an offer. The Examiner upon conducting a search for prior art, discovered a publication describing a product by Reuters (a copy of the information is attached to this request). The publication discloses a product called Dealing 2000-2 order matching service that was available to the public in 1990. Furthermore, the publication discloses that beta testing of the product was conducted in 1990. The article discloses that the product operates a central transaction desk that will be alerted in the event of a fault. In response to this requirement please provide any known publications, brochures, manuals and press releases that describe the Dealing 2000-2 product or service that is described by the publication and specifically what product or service was marketed or developed in 1990 that was the subject of the publication.

3. The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

6. This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:30 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 872-9306 (for official communications including After Final communications labeled "Box AF").

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.



Alexander Kalinowski

Primary Examiner

Art Unit 3626

7/25/2004

1 1325673/9
2 DIALOG(R)File 636:Gale Group Newsletter DB(TM)
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4
5 01325673 Supplier Number: 41550111 (THIS IS THE FULLTEXT)
6 DEALING 2000-2 DELAYS, MARKET WORRIES HIT REUTERS SHARES
7 Dealing With Technology, v2, n17, pN/A
8 Sept 14, 1990
9 ISSN: 0955-2138

10 Language: English Record Type: Fulltext
11 Document Type: Magazine/Journal; Trade
12 Word Count: 1175

13 TEXT:

14 Rumours of a delay in the implementation of its Dealing 2000-2 order
15 matching service for the foreign exchange market, together with continued
16 uncertainty in world equity markets due to the Gulf crisis, led to a
17 massive fall in Reuters shares last month. The drop followed a slide at the
18 end of July, which was attributed to cautious statements made by the
19 company's executives at its interim results presentation (DWT, August 3).

20 Dealing 2000-2 will provide an automated matching service for the spot
21 foreign exchange market. Market makers will input quotations for up to six
22 currencies, which are available to be matched by any counterparty.
23 Following a match, the service automatically checks both sides' credit
24 limits and, if these are sufficient, a confirmation message will be sent to
25 both sides. Only at this point are names of the market maker and
26 counterparty known to the other side.

27 Reuters' 1988 annual report gives the clear impression that Dealing
28 2000-2 was expected to be introduced last year. In fact, the service did
29 not materialise, although Dealing 2000-1, essentially an upgrade to the
30 existing Monitor Dealing Service, was launched. According to a press
31 release issued on November 8th, 1989, the introduction of Dealing 2000-2
32 was to be further delayed. The release stated that the company did not
33 expect revenue from the service before the third quarter of 1990.

34 On August 15th, Reuters' shares closed at 10.09 pounds sterling. The
35 shares had been trading in the 9.55 pounds sterling to 10.69 pounds
36 sterling region since the interim results were published three weeks
37 before. On August 16th, reports were carried on Dow Jones' Professional
38 Investor Report (PIR) detailing an eight percent drop in Reuters' American
39 Depository Receipts (shares listed on the U.S. over-the-counter market).
40 The drop was attributed to a downgrading of Reuters' full-year results
41 estimate by Michael Ellmann, an analyst at New York brokers Wertheim
42 Schroder. In London, the shares closed at 9.29 pounds sterling.

43 According to the PIR, a newswire that monitors and provides commentary

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1 on unusual share price movement, Ellmann made the downgrade in reaction to
2 a report in DWT's sister publication Trading Systems Technology. The TST
3 report claimed that beta-testing of the Dealing 2000-2 service has been
4 delayed following problems during in-house alpha-testing. The report also
5 discussed changes to the service, which sources said Reuters intends to
6 introduce to limit its liability in the event of technical failures.

7 Testing Continues

8 According to analysts in London, Reuters issued a press release at the
9 end of business on the 16th, stating that: "In-house testing of the Dealing
10 2000-2 system for the automated matching of deals in the foreign exchange
11 market continues." The release continued: "The system is performing well
12 under rigorous testing. The network and central system are operating under
13 test at high standards of reliability but further testing is required on
14 peripheral systems and overall system integration. Client testing will take
15 place when we are satisfied with the outcome of our own tests." Articles
16 covering the drop in the share price and Reuters' comments appeared in both
17 the Financial Times and Wall Street Journal on the 17th. Reuters' shares
18 closed at 8.78 pounds sterling on the 17th and continued lower after the
19 weekend, closing at 8.38 pounds sterling on the 20th.

20 According to Neil Blackley and Bob Pringle, analysts at James Capel
21 and Security Pacific Hoare Govett respectively, events in the Gulf were the
22 cause of general market depression over the next week. Reuters' shares slid
23 to 7.59 pounds sterling at the close on the 21st, recovering to 7.89 pounds
24 sterling on the 22nd, 7.86 pounds sterling on the 23rd and 8.29 pounds
25 sterling on the 24th. Both analysts feel that the shares will not go below
26 the 7.50 pounds sterling level, although neither sees much hope of a
27 recovery to the 10 pounds sterling-plus level until there is good news on
28 Dealing 2000-2 and GLOBEX, Reuters' automated futures trading service.

29 Neil Barton, an analyst at Merrill Lynch, says that the Gulf crisis
30 could actually be beneficial to Reuters. He points out that the increased
31 volatility in the foreign exchange markets will help sales of information
32 services and that Reuters news services will also be in demand, especially
33 in the U.S.

34 None of the U.K. analysts contacted by DWT say that the news on
35 Dealing 2000-2 has caused them to revise their estimates for 1990, since
36 none had factored in revenue from the service. They add, however, that a
37 number of U.S. analysts were over-optimistic with their original estimates,
38 which have had to be downgraded. Barton says that Reuters' share price has
39 always been volatile, which he attributes in part to the company not being
40 "well researched". He says that, in general, analysts cannot afford to
41 devote a lot of time to researching it, since the company's business is
42 unique and the research cannot be applied to similar companies.

43 No F.T., No Comment

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1 A Reuters press release, issued on August 22nd, stating that managing
2 director and chief executive Glen Renfrew had disposed of 210,000 shares on
3 the 21st did not unduly affect the market, according to Pringle. On the
4 23rd, an article on the drop in Reuters' share price appeared in the
5 Financial Times. The article extensively quoted the original TST article
6 and prompted Reuters to issue a further press release with the text of a
7 letter sent to the F.T. The letter, which appeared in the F.T. on the 24th,
8 disputed the accuracy of some of the details in the TST report, although it
9 did not deny that there had been a delay in beta-testing of Dealing 2000-2
10 or that Reuters was looking into ways of reducing its liability in the
11 event of system failures.

12 According to the letter, Reuters will operate a central transaction
13 desk, which will be alerted in the event of a fault. The desk will act in
14 the event of a broken trade occurring and complete the trade within
15 approximately one minute of the alert being given. The letter adds that a
16 future enhancement will automate the process so that the trade can be
17 completed within a few seconds.

18 Expanding on the letter, Michael Cooling, Reuters' manager of
19 corporate relations, says that when a counterparty matches a quotation, the
20 service takes "a certain time, measured in seconds" to confirm the trade to
21 both sides. He says that if during this time one of the counterparties'
22 terminals goes down, the transaction desk will be alerted within eight
23 seconds. The desk will then contact both sides of the trade, one of which
24 will have received a confirmation. If the side that has not received the
25 confirmation disputes the trade, Reuters will take it over and complete it.
26 Reuters will then make a back-to-back trade with a "bank of last resort",
27 the difference in prices being Reuters' liability.

28 Cooling says that the automation of the process will reduce the
29 liability. However, he declines to discuss the automation in any detail.

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38 of business); CMPT (Computers and Office Automation)

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